

OCT 2 4 2005

TECH CENTER 1600/2900

2801-0209X PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Malcolm CARTER et al.

Patent No.: 6,713,485 B2

Filed:

February 8, 2002

Issued:

March 30, 2004

RECEIVED

OCT 1 2 2005

For:

HETEROCYCLIC COMPOUNDS

**OFFICE OF PETITIONS** 

#### PETITION UNDER 37 C.F.R.§1.324 TO CORRECT THE INVENTORSHIP OF A PATENT

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 October 7, 2005

Sir:

The undersigned respectfully petition under 37 C.F.R.§1.324 on behalf of the Patentee that the Director issue the attached Certificate of Correction to correct the inventorship of US Patent No. 6,713,485 B2. Specifically, the inventorship of the patent is to be corrected by deletion of KATHRYN JANE SMITH as a named inventor of the claimed subject matter.

In fulfillment of the requirements under 37 C.F.R.§1.324, attached hereto are the following:

10/11/2005 SZEWDIE1 00000034 6713485

02 FC:1464

130.00 OP

(1) A statement from the current named inventors, who are listed below, stating that they have no disagreement with the requested change.

#### Currently Name Inventors:

- i) Malcolm Clive Carter
- ii) George Stuart Cockerill
- iii) Stephen Barry Guntrip
- iv) Karen Elizabeth Lackey
- v) Kathryn Jane Smith
- (2) A statement from the assignee of the patent, SmithKline Beecham Corporation, which complies with the requirements under 37 C.F.R.§3.73(b) and which agrees to the requested change of inventorship.
  - (3) The fee of \$130.00 as set forth under 37 C.F.R.§1.20(b).

If there are any questions regarding the present petition or the Examiner requires any additional information, please contact MaryAnne Armstrong, PhD (Reg. No. 40,069) at (703) 205-8063.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MaryAnne Armstrong, #40,069

GMM/MAA

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments:

Fee Payment

Statement of all current inventors

□ Certificate of Correction



OCT 2 4 2005

## TECH CENTER 1600/2900

PATENT 2801-0209X

IN THE U.S. PATENT AND TRADEMARK OFFICE

Patentee:

Malcolm Carter et al.

Patent No.: 6,713,485 B2

Filed:

February 8, 2002

Issue Date:

March 30, 2004

For:

01 FC:1811

HETEROCYCLIC COMPOUNDS

**OFFICE OF PETITIONS** 

OCT 1 2 2005

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ATTN: CERTIFICATE OF CORRECTIONS BRANCH

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.322

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 October 7, 2005

Sir:

Attached hereto is a Certificate of Correction (Form PTO-1050) in connection with the above-identified patent.

It is noted that the attached Certificate of Correction form is being filed to correct the inventorship of the claimed invention. Specifically, KATHRYN JANE SMITH has been deleted as an inventor of the claimed subject matter. Upon further review of the patented claims, the patentee realized that KATHRYN JANE SMITH should have been deleted as an inventor upon amendment of the claims during examination. This error occurred without deceptive intent.

The fee under 37 C.F.R. § 1.20(a) of \$100.00 is attached hereto. Also attached hereto, in compliance with requirements of 37 C.F.R.§1.1.324 and M.P.E.P. §1481 are the 10/11/2005 SZEWDIE1 00000034 6713485

100.00 DP

U.S.Patent No. 6,713,485 B2

#### following:

- (1) Petition under 37 C.F.R.\$1.1.324(a)
- (2) Statements from the current named inventors
- (3) Statement from the assignee; and
- (4) The fee set forth in 37 C.F.R.§1.20(b)

Please charge any fees or credit any overpayment pursuant to 37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MaryAnne Armstrong, #40,069

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

2801-0209X

Attachment(s): Certificate of Correction (Form PTO-1050)
Fee under 37 C.F.R. §1.20(a)
Petition under 37 C.F.R.§1.1.324(a)
Statements from the current named inventors
Statement from the assignee; and
The fee set forth in 37 C.F.R.§1.20(b)

(Also Form PTO-1050)

# UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. :

6,713,485 B2

DATED

March 30, 2004

INVENTOR(S):

Malcolm Carter et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 1, left column, in field (75) "Inventors",

please delete KATHRYN JANE SMITH as an inventor.

MAILING ADDRESS OF SENDER: 2801-0209X -MAA BIRCH, STEWART, KOLASCH & BIRCH, LLP PTO BOX 16X PATENT NO. 6,713,485 B2

No. of Additional copies

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLTED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 1 2 2005

**OFFICE OF PETITIONS** 



OCT 2 4 2005

TECH CENTER 1600/2900 2801-0209X PATENT

## INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE INVENTORSHIP OF A PATENT UNDER 37 C.F.R.§1.324

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, MALCOLM CLIVE CARTER, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256 whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

Ву

MALCOLM CLIVE CARTER

Date\_\_// (



OCT 2 4 2005

TECH CENTER 1600/2900

2801-0209X PATENT

# INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE INVENTORSHIP OF A PATENT UNDER 37 C.F.R.\$1.324

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, GEORGE STUART COCKERILL, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256 whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

GEORGE STUART COCKERILL

Date 22nd July 2005



OCT 2 4 2005

#### **TECH CENTER 1600/2900**

2801-0209X PATENT

## INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE INVENTORSHIP OF A PATENT UNDER 37 C.F.R.§1.324

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, STEPHEN BARRY GUNTRIP, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256 whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

STEPHEN BARRY GUNTRIP

Date 11 7 05

# INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE INVENTORSHIP OF A PATENT UNDER 37 C.F.R.§1.324

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, KAREN ELIZABETH LACKEY, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256, whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

BY Masen Elizabeth Lockey
KAREN ELIZABETH LACKEY

Date July 15, 2005

OCT 1 2 2005

OFFICE OF PETITIONS



OCT 2 4 2005

#### **TECH CENTER 1600/2900**

2801-0209X PATENT

## INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE INVENTORSHIP OF A PATENT UNDER 37 C.F.R.§1.324

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, KATHRYN JANE SMITH, have no disagreement with the proposed change in the inventorship of US Pat. Nos: 6,713,485 B2 and 6,727,256 whereby I will be deleted as a named inventor of the claimed subject matter.

By J. J. SWIR

Date 13th July 2005.



OCT 2.4 2005

2801-0209X

## TECH CENTER 1600/2900

# STATEMENT FROM THE ASSIGNEE UNDER 37 C.F.R.§§1.324 and 3.73(b) FOR A PETITION TO CORRECT THE INVENTORSHIP OF A PATENT

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 RECEIVED

OCT 1 2 2005

**CFFICE OF PETITIONS** 

Sir:

Under the requirements of 37 C.F.R. §§ 1.324 and 3.73(b), the Assignee of US Pat. Nos. 6,713,485 B2 and 6,727,256, SmithKline Beecham Corporation, agrees to the requested change of inventorship, whereby KATHRYN JANE SMITH will be deleted as a named inventor of the claimed subject matter. In compliance with the requirements of 37 C.F.R.§3.73(b)(1)-(2) attached hereto are the following:

(1) Documentary evidence of the chain of title from the inventors to the assignee. In this regard, attached hereto is a copy of the recorded assignment, which transferred ownership from the inventors to Glaxo Wellcome, Inc.. Also attached is a copy of the merger documents recorded with the USPTO on May 2, 2005, which shows the merger of Glaxo Wellcome, Inc. into SmithKline Beecham Corporation, the named Assignee listed on the front of US Pat. Nos. 6,713,485 B2 and 6,727,256.

(2) A showing that the undersigned, Charles E. Dadswell, is authorized to act on behalf of the assignee. I, Charles E. Dadswell, am authorized to act on behalf of the Assignee, cham Corporation.

By\_

Charles E. Dadswell, Attorney

(Resolution Attached)

Attachments: Assignment and merger documents



OCT 2 4 2005

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**Power of Attorney** 

TECH CENTER 1600/2900 UCT 1 2 2005

BY THIS POWER OF ATTORNEY given this 23<sup>rd</sup> day of February two thousand and five PETITIONS SMITHKLINE BEECHAM CORPORATION, a company incorporated in Pennsylvania (Registration No. 3330395) and having its registered office at One Franklin Plaza, P.O. Box 7929, Philadelphia, Pennsylvania 19101, United States of America, (hereinafter called "the Company"), HEREBY appoints all and any of its Directors. Secretary and Assistant Secretary for the time being, and DAVID ROBERTS, PETER JOHN GIDDINGS, ARTHUR WILLIAM RUSSELL TYRRELL, HUGH BAINFORDE DAWSON, WENDY ANNE FILLER, MICHAEL JOHN STOTT, PETER I. DOLTON, HELEN KAYE QUILLIN, MARCUS JONATHAN WILLIAM DALTON, CHARLES M. KINZIG, STEPHEN VENETIANER, THEODORE R. FURMAN, MARY E. McCARTHY, EDWARD R. GIMMI, CHARLES EDWARD DADSWELL, ROBERT H. BRINK, and FRANK P. GRASSLER jointly and severally to be its true and lawful agents and attorneys (hereinafter called "the Attorneys") on behalf and in the name of the Company or otherwise to do, perform, exercise or execute or concur with any other person or persons in doing, performing or exercising in or for any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things in connection with: letters patent, including extensions thereto; utility models; copyrights; trademark registrations; trademarks; trade names; trade dress; logos; design rights; designs and all rights analogous thereto and all applications therefor and any other forms whatsoever of intellectual property rights; including know-how, all of which are hereinafter called "Intellectual Property Rights", that is to say:

- 1. In any country or countries or jurisdiction in any part of the world to make application or cause application to be made for the grant or issue or transfer to the Company or registration in its name of Intellectual Property Rights and to take all steps necessary for the same to be prosecuted, maintained, withdrawn, renewed, enforced, defended or extended.
- 2. As the act and deed of the Company to sign, seal, deliver and execute all or any assignments or assurances, licences to the Company of or under any Intellectual Property Rights or the right to and interest in any inventions to be the subject of Intellectual Property Rights for the purpose of fully and effectually vesting and transferring the same in and to the Company.
- 3. As the act and deed of the Company to sign and execute all or any assignments and acceptances of the transfer or assignment of such rights, and also any licences, sublicences and consents from the Company of or under any Intellectual Property Rights or the right to and interest in any invention to be the subject of Intellectual Property Rights, for the purpose of fully and effectually vesting transferring or granting the same in and to any entity, whether in the United Kingdom or elsewhere, in so far as such documents can be executed without the Company's seal being affixed thereto. For purposes of this Power of Attorney, the terms "entity" means, and includes, any person, firm or company or group of persons or unincorporated body.
- 4. To give undertakings or assurances to third parties and to any Trademark Registry or official intellectual property agency or governmental department or otherwise responsible for the registration or protection of trademarks, trade names, trade dress, logos, design rights or designs for the purpose of best protecting or ensuring the coexistence of the Company's rights to trademarks, trade names, trade dress, logos, design rights or designs.
- To commence, prosecute and defend any proceedings or applications whether 5. judicial or extra judicial relating to Intellectual Property Rights and to maintain, withdraw or settle the same.

- 6. For and in connection with any Intellectual Property Rights to sign, seal, deliver and execute any Power of Attorney or other deed or document authorising any agent, including trademark and patent agents and attorneys, to act on behalf of the Company.
- 7. To apply for the registration, amendment or cancellation of user rights in respect of any trademark or trade name.
- 8. To act in regard to all official communications which may now or hereafter be addressed to the Attorneys relating to Intellectual Property Rights or the renewal thereof in such manner that the Attorneys may be recognised as the authorised agent(s) of the Company in all proceedings in relation thereto.
- 9. For all or any of the purposes contained herein as the act and deed of the Company to sign, seal, deliver, execute and do all such documents, deeds, agreements, instruments and to do such acts as shall be requisite or may be deemed proper for or in relation to the said purposes.
- 10. This Power of Attorney shall expire on December 31, 2006

AND THE COMPANY HEREBY RATIFIES and confirms and agrees to ratify and confirm all and whatsoever the Attorneys or any person, persons, firm or company appointed by them shall lawfully do or have done by virtue of the authorities herein contained

AND THE COMPANY HEREBY DECLARES that all instruments executed under and by virtue of this Power shall be as valid and effectual as if sealed by the Common Seal of the Company.

IN WITNESS whereof SMITHKLINE BEECHAM CORPORATION has caused its Common Seal to be hereunto affixed the day and year first before written

)

The COMMON SEAL of	
SMITHKLINE BEECHAM CORPORATION	
was hereto affixed in the presence of:	

Donald F. Parman

Vice President and Secretary



#### **United States Patent and Trademark Office**

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**CFFICE OF PETITIONS** 

#### Assignments on the Web > Patent Query

#### Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

**Total Assignments: 2** 

**Patent #:** 6727256 **Issue Dt:** 04/27/2004 **Application #:** 09582746 Filing Dt: 06/30/2000

PCT #: EP9900048

Inventors: MALCOLM CLIVE CARTER, GEORGE STUART COCKERILL, STEPHEN BARRY GUNTRIP et al

Title: BICYCLIC HETEROAROMATIC COMPOUNDS AS PROTEIN TYROSINE KINASE INHIBITORS

Assignment: 1

Reel/Frame: 009804/0668 **Recorded:** 03/01/1999 Pages: 6

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: KAREN ELIZABETH LACKEY **Exec Dt:** 01/08/1999

Assignees: GLAXO WELLCOME INC.

P.O. BOX 13398 GLOBAL INTELLECTUAL PROPERTY DEPT.

FIVE MOORE DRIVE

RTP, NORTH CAROLINA 27709

**GLAXO GROUP LIMITED** 

GLOBAL INTELLECTUAL PROPERTY DEPT.

BERKELEY AVENUE

GREENFORD, MIDDLESEX UB6 ONN, UNITED KINGDOM

Correspondent: GLAXO WELLCOME INC., PATENT COUNSEL

DAVID J. LEVY

FIVE MOORE DRIVE

PO BOX 13398

RTP NC 27709

Assignment: 2

Reel/Frame: 011281/0024 **Recorded:** 11/14/2000 Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: CATRER, MALCOLM CLIVE Exec Dt: 06/15/2000

> COCKERILL, GEORGE STUART Exec Dt: 06/15/2000

> GUNTRIP, STEPHEN BARRY **Exec Dt:** 06/15/2000

SMITH, KATHRYN JANE Exec Dt: 06/15/2000

**Assignee:** GLAXO WELLCOME INC.

GLOBAL INTELLECTUAL PROPERTY DEPARTMENT

FIVE MOORE DRIVE, PO BOX 13398

RESEARCH TRIANGLE PARK, NORTH CAROLINA 27709

Correspondent: GLAXO WELLCOME INC.

DAVID J. LEVY

FIVE MOORE DRIVE

PO BOX 13398 RTP NC 27709

Search Results as of: 09/04/2005 01:24 PM

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 703-308-9723

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Atty. Docket No.: 2801-0209X

		Page 1 of 1	,
RECORDATION FO PATENT			
To the Honorable Commissioner of Patents and Trademarks: F		ereof.	
Name of conveying party(ies):	2. Name and address of receiving party(ies	)	
GLAXO WELLCOME, INC.	Name: SMITHKLINE BEECHAM CORPORATION	RE	CEIVED
Additional name(s) of conveying party(ies) attached?  YES NO	Internal Address: Street Address: One Franklin Plaza	00	T 1 2 2005
3. Nature of conveyance:	P.O. Box 7929	OFFICE	OF PETITIONS
Assignment Merger	0101 _ 011 1 7 _ 7		OF PETITIONS
Security Agreement Change of Name		ZIP: 19101	
Other:	Country: Postal Code:	_	
Execution Date: March 31, 2001	Additional name(s) & address(es) attached? YES	⊠ NO	
4. Application number(s) or patent number(s):			
If this document is being filed together with a new applicati			
A. Patent Application No(s).	B. Patent No.(s).		
	6,713,485 B2		
	6,727,256 B1		
Additional numbers attact	hed? 🗌 YES 🖾 NO		
5. Name and address of party to whom correspondence	6. Total No. of applications/patents involved	ed: two (2)	
concerning document should be mailed:	7. Total fee (37 C.F.R. § 3.41): \$80.00		1
Name: BIRCH, STEWART, KOLASCH & BIRCH, LLP	⊠ Enclosed		
Street Address: P.O. BOX 747	Authorized to be charged to deposit acc	count	
City: FALLS CHURCH State: VA ZIP: 22040-0747	if no fee attached.	Journe,	
Country: USA	8. Deposit account number: 02-2448		1
	(Attach duplicate copy of this page if paying by dep	nosit account)	
DO NOT USE	THIS SPACE		1
9. Statement and signature.			1
To the best of my knowledge and belief, the foregoing info true copy of the original document.	ormation is true and correct and any attached	d copy is a	
MaryAnne Armstrong, #40,069 Name of Person Signing/Reg. No.		2, 2005 Date	
Total number of pages including cover sh	neet, attachments, and document: four (4)		

#### COMMONWEALTH OF PENNSYLVANIA

#### DEPARTMENT OF STATE

APRIL 05. 2001

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

RECEIVED

OCT 1 2 2005

SMITHKLINE BEECHAM CORPORATION

OFFICE OF PETITIONS

I. Kim Pizzingrilli. Secretary of the Commonwealth of

Pennsylvania do hereby certify that the foregoing and annexed is a true

and correct photocopy of Articles of Merger restating the Articles of

Incorporation in their entirety

which appear of record in this department



IN TESTIMONY WHEREOF. I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written.

Secretary of the Commonwealth

DP05

क्षित्र स्ट्राह्माकारकः । २ न्हें क्षित्र हा के देखेल का क्षेत्र र	
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1. The name of the corporation surviving the marger is:	
(Check and complete are of the following):	comparation and the (a) address of its current registeres office in this writtened plices provides and the county of venue is the
Commonwealth or to) name at a correct the k	clowing information to conform to the records of the Department);
ol One Franklin Plaza. 200 Bort	th 16th Street, Philadelphia, PA 19102 Phila.
Number and Street	City State Zip County
[b] c/o: Name of Commercial Registered Office	co travided
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ABSENCE : LUMBORGION IS DOCATED BY ACTUAL OLD ASSESSMENT OF THE PROPERTY OF TH	
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to conform to the records of the Department):	
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AT THE VIEW OF THE PROPERTY OF	

ELLCOME

08:45AM GLAX

Day: Wednesday



## **PALM INTRANET**

#### **Patent Number Information**

Application Number: 10/071358 Order This

File Assignments

Filing or 371(c) Date: 02/08/2002

Effective Date: 02/08/2002

Application Received: 02/11/2002

Pat. Num./Pub. Num: 6713485/20020147205 Interference Number:

Issue Date: 03/30/2004

Bar Code

10071358

Date of Abandonment: 00/00/0000

Attorney Docket Number: PG3416US2

Status: 150 / PATENTED CASE

Confirmation Number: 2600

**PALM** 

Location

9200

Location

Date

09/08/2005

Oral Hearing: **NO** 

Location

Title of Invention: **HETEROCYCLIC COMPOUNDS** 

to Name

Date: 10/19/2005

Time: 15:03:54

correction ship 514/266.240 Lost Case: NO Unmatched Petition: NO L&R Code: Secrecy Code:1

Third Level Review: NO Secrecy Order: NO

Group Art Unit: 1624

Class/Subclass:

Charge to Charge to Loc Location Employee Name Name No Charge to No Charge

<u>QAMAR,MOHAMMED</u>

Status Date: 03/11/2004

Examiner Number: 74142 / TRUONG, TAMTHOM

Appin Contents Petition Info Continuity Data Atty/Agent Info : Foreign Data Info Search Search Another: Application# or Patent# Search PCT / Search or PG PUBS# Search Attorney Docket # Search Bar Code # Search.

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